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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Karstan REIHS et al

: ATTN: U.S. PCT ELECTED OFFICE

SERIAL NO.: 09/869,123

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FILED: June 25, 2001

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FOR: ULTRAPHOBIC SURFACE

LETTER TO PTO

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Notification of Filing Missing Requirements mailed August 3, 2001,

Applicants respectfully traverse the requirement for submission of a Sequence Listing.

According to 37 C.F.R. §1.821, a Sequence Listing is only required when an unbranched sequence of four or more amino acids or an unbranched sequence of ten or more nucleotides is "specifically defined" in the application. There are no such sequences in the present application. As such, submission of a Sequence Listing is believed to be unnecessary. In the event the Office determines that a Sequence Listing is necessary, Applicants request that the Office contact the Applicants' undersigned representative by telephone to avoid any further delay.

Applicants recognize that the Office requires the executed Declaration to be filed before the present application is ready for examination on the merits.

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Karsten REIHS, et al.

SERIAL NUMBER: 09/869,123

FILED: 25 JUNE 2001

FOR: ULTRAPHOBIC SURFACE

RESPONSE TO NOTICE OF MISSING REQUIREMENT UNDER 35 U.S.C. 371ASSISTANT COMMISSIONER FOR PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:

Responsive to the notification dated **03 AUGUST 2001**, and in accordance with the provisions of 35 U.S.C. 371, Applicants submit herewith a Rule 63 Declaration.

The required fee was paid at the time of filing the application.

In light of the foregoing, this application is deemed to be in proper condition for examination and such favorable action is earnestly solicited.

Our check in the amount of \$-0.00- is attached hereto. If any variance exists between the amount enclosed and the required Government fee, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136 and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



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